

# EXHIBIT 2

IN THE UNITED STATES DISTRICT COURT  
THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

L.E., by his next friends	)	
and parents, SHELLEY	)	
ESQUIVEL and MARIO ESQUIVEL	)	
	)	
Plaintiff	)	
	)	
vs.	)	No. 3:21-cv-00835
	)	
BILL LEE, in his official	)	
capacity as Governor of the	)	
Tennessee, et al.	)	
	)	
Defendants	)	

VIDEOTAPED

DEPOSITION

OF

L.E.

August 1, 2022

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## INDEX

WITNESS	PAGE
---------	------

L.E.	
------	--

Examination by Ms. Bergmeyer.....	4
-----------------------------------	---

Examination by Ms. Johnson.....	34
---------------------------------	----

Examination by Ms. Buchert.....	41
---------------------------------	----

## INDEX OF EXHIBITS

NO.	DESCRIPTION	PAGE
-----	-------------	------

1 A (Shakes head up and down.)

2 Q Also, I know that you've had to wait some  
3 this morning, and I apologize for that, but if at any time  
4 you need to take a break, please let me know.

5 A Yes, ma'am.

6 Q Okay. Have you had a good summer?

7 A Yes.

8 Q And what do you like to do for fun?

9 A Golf, puzzles, drawing, just hang out  
10 with my friends.

11 Q What year will you start in -- or when  
12 does school start this year?

13 A August 8th.

14 Q Okay. And what grade will you enter  
15 into?

16 A Tenth grade.

17 Q Okay. When did you begin playing golf?

18 A I would say in around sixth grade.

19 Q And how did you become interested in  
20 golf?

21 A There was a golf clinic and anyone could  
22 try it out just for fun, and so I did try it out, and I  
23 thought it was cool and wanted to see if I could get  
24 better at it, so I did that.

25 Q Was the golf clinic with your school?

1                   A           No, I don't think it -- no, no, it was  
2           not.

3                   Q           Was the golf clinic at one particular  
4           golf course?

5                   A           I don't remember what golf course it was  
6           at, if it was even at a golf course.

7                   Q           Did your parents buy you golf clubs so  
8           that you could play in the golf clinic?

9                   A           Not necessarily in the golf clinic  
10          because they had clubs you could borrow, but a little bit  
11          after, we did get some clubs.

12                  Q           And you mentioned tryouts. Did you try  
13          out to play with that golf clinic?

14                  A           No, every -- anyone could try it just to  
15          see, just to get introduced to it.

16                  Q           When did you play with your middle-school  
17          golf team?

18                  A           I would say around seventh -- well,  
19          beginning of seventh and maybe a little bit of sixth. I  
20          can't remember about sixth.

21                  Q           What grades were in your middle school?

22                  A           What do you mean by grades?

23                  Q           Did your middle school have sixth,  
24          seventh, and eighth grade?

25                  A           Yes.

1 other than that?

2 A Yes.

3 Q Okay. And who would you play golf with?

4 A My dad.

5 Q Anyone else?

6 A No, not really. It would just be me and  
7 my dad giving me a ride. Sometimes he'll even leave me.

8 Q And dad pays; right?

9 A We have a card, yes, like, at Fairways  
10 and Greens and all that stuff.

11 Q And was there a certain course that you  
12 and your dad played?

13 A Yeah. Usually we would go to Fairways  
14 and Greens just to warm up and hit some balls and just  
15 practice, and then we would go to Concord, Dead Horse.  
16 There's also a few other ones I can't remember off the top  
17 of my head.

18 MS. BERGMEYER: Are you able to hear  
19 okay, Miss Court Reporter?

20 THE COURT REPORTER: Yes.

21 MS. BERGMEYER: Okay.

22 Q So you mentioned Concord, and I'm not  
23 from the Knoxville area. Is that a golf course in the  
24 area?

25 A Yes.

1 Q Okay. And what was the second course?

2 A Dead Horse.

3 Q Did you have a favorite?

4 A I like them all.

5 Q Good. Fairways and Greens, is that a  
6 driving range?

7 A Yes.

8 Q When you played golf with your dad, which  
9 tee box would you hit from?

10 A The white tee boxes.

11 Q Did you keep score when you played with  
12 your dad?

13 A No, because we were just playing it for  
14 fun.

15 Q Did your dad keep score for himself?

16 A Occasionally, though for the most part,  
17 he would, like, quit halfway through.

18 Q How many sets of golf clubs have you had?

19 A Well, at the start I had one, but then I  
20 started, I mean, getting new clubs just to add onto that,  
21 and then I just recently got a new, like, fitted set of  
22 golf clubs.

23 Q Oh, wow. Do you know if there are golf  
24 clubs designated for boys or girls?

25 A I mean, I guess it depends on what you



1 want, like, if you want a lighter club or a heavier one.

2 Q Okay. Do you prefer lighter or heavier?

3 A Heavier.

4 Q Have you taken golf lessons?

5 A Yes.

6 Q Okay. Have you had more than one private  
7 instructor?

8 A Yes.

9 Q So who have you got lessons from?

10 A Miss Suzanne, Amy -- I forget this  
11 person's name. It starts with an A. I'm sorry.

12 Q That's okay.

13 A Then there's also another guy I've seen  
14 before that I just got back seeing him for more lessons.  
15 I also forgot his name.

16 Q That's okay.

17 A And then also Dave.

18 Q Coach Dave?

19 A Yes.

20 Q And did you say one of the guy  
21 instructors you recently went back to see?

22 A Yes.

23 Q Okay. When did you start lessons with  
24 him again?

25 A Maybe, like, a month, a month and a half

1           ago.

2                   Q           How long before that had it been since  
3           you had had lessons?

4                   A           From -- what do you mean by lessons?

5                   Q           So you -- that was a bad question.  
6           Always feel free to tell me that. You recently started  
7           lessons with a male instructor, you said one to one and a  
8           half months ago; is that right?

9                   A           Yes.

10                  Q           Okay. Were you taking lessons before  
11           that?

12                  A           Yes.

13                  Q           Okay. And who were you taking lessons  
14           with?

15                  A           Miss Suzanne.

16                  Q           Do you know why you left Miss Suzanne,  
17           having lessons with her?

18                  A           Mainly because I wanted to get someone  
19           else's point of view just to see what I have to improve  
20           on, not just from one person, but another just to see what  
21           things I can also improve on from their standpoint.

22                  Q           Okay. When you had lessons with Miss  
23           Suzanne, how often would you see her?

24                  A           I don't really know if it was -- I don't  
25           really know any consistent date. I would just see her

1       when I think there is something I definitely want to  
2       improve on. Like, there's always something to improve on,  
3       but something in particular, like, maybe with my irons, or  
4       I'm struggling to keep the ball more straight and it's  
5       curving a little bit right, or maybe my long putts are not  
6       doing very good at the time, so I want to improve on that.

7               Q           Have you tried to tee off from either the  
8       yellow or red tee boxes?

9               A           Yes, I -- yeah, I did do red a little  
10       bit, though I would usually go up a club or two or just  
11       stay with the same club but do a fuller swing instead of a  
12       half swing.

13              Q           How many times did you play golf this  
14       summer?

15              A           To be honest, I'm not keeping track of  
16       how many times I play. I mean, I went golfing, like, two  
17       days ago because I was in Florida and there's, like, a  
18       little Top Golf, but not really Top Golf. It was, like,  
19       half.

20              Q           When you play golf with your dad, do you  
21       play a 9-hole course or an 18-hole course?

22              A           Nine hole because 18 holes is, like, the  
23       whole day. We don't have that time.

24              Q           Do you know when the last time you played  
25       a 9-hole course was?

1                   A           I don't remember. Actually, wait. I  
2                   don't know the exact date, so I can't -- it was recent.  
3                   Well, it was like -- I'm just going to say I don't  
4                   remember.

5                   Q           Okay. Do you think it would have been  
6                   sometime this summer?

7                   A           Oh, yeah, it's been the summer.

8                   Q           Do you follow professional golf?

9                   A           I'm sorry? Can you --

10                  Q           Do you follow professional golf?

11                  A           Like, watch it?

12                  Q           Yes.

13                  A           I mean, I usually just -- it's -- if it's  
14                  on, I just glance to see who's playing and if they did a  
15                  good shot and then do something else.

16                  Q           Do you have any favorite professional  
17                  golfers?

18                  A           No. I'm trying to think. No.

19                  Q           Did you want to play golf for your  
20                  high-school golf team?

21                  A           Yes. I wanted to play on the guys' golf  
22                  team.

23                  Q           Okay. And what made you decide that you  
24                  wanted to play for the guys' team?

25                  A           Because I'm a boy.

1                   Q           Did you talk to anyone about wanting to  
2           play golf for the high-school boys' team?

3                   A           Yes.

4                   Q           Okay. Who did you speak with?

5                   A           My mom, dad, friends, lawyer, lawyers.

6                   Q           Sure.

7                   A           Yeah.

8                   Q           Do you know who the boys' golf coach is  
9           for Farragut High School?

10                  A           No.

11                  Q           Do you know when the boys' golf team have  
12           tryouts at your school?

13                  A           No, though I think my mom does.

14                  Q           Do you follow the players on the Farragut  
15           boys' golf team or keep track of how they're doing on the  
16           team?

17                  A           Not exactly keep track, though I do know  
18           they are good.

19                  Q           What do you know about them being good?

20                  A           They got second place in a tournament, I  
21           think it was a tournament.

22                  Q           Are you friends with anyone on the boys'  
23           golf team?

24                  A           No.

25                  Q           Why did you not go to tryouts for the

1 golf team before or for your freshman year of high school?

2 A Because even if I did have the chance to  
3 try out, if I can't even be able to play on the guy's golf  
4 team, there -- I just wouldn't try out. There's no point.

5 Q Do you know if the boys and girls try out  
6 at the same time for the golf team?

7 A I do not know.

8 Q Do you know what tryout what -- do you  
9 know what someone has to do at the tryouts to see whether  
10 they can make the team?

11 A I do not. I would expect you just to be  
12 able to play well.

13 Q Have you -- do you know what a handicap  
14 is for golf?

15 A Yes.

16 Q What is your understanding of a handicap?

17 A My understanding of it is where you get  
18 to be closer to the hole or something that helps you.

19 Q Do you know how golfers keep score?

20 A Depending on how many hits it takes you  
21 until you get to the hole. It could be birdie, par,  
22 bogey, double bogey max, and if you're really, really  
23 lucky, eagle, and I never got that. I wish I got an  
24 eagle.

25 Q Do you know what par is?

1 A Yes.

2 Q Okay. And what is that?

3 A It's where it takes you three golf hits  
4 -- well -- yeah. It can be different depending on, like,  
5 distance, if this makes any sense of what I'm saying, but  
6 yeah.

7 Q Sure. It was a -- it was a broad  
8 question; I understand. Do golfers try to make par when  
9 they golf?

10 A I would think so. I mean, you just try  
11 to do it in as little hits as possible.

12 Q We are here today because you have -- you  
13 and your parents have filed a lawsuit because you want to  
14 play and try out for the boys' golf team; is that right?

15 MS. BUCHERT: Objection to form.

16 A I want to have the chance to play.

17 Q Okay. And have you spoken to news  
18 reporters and people of the press about this lawsuit?

19 A No.

20 Q Okay. Are you aware of this lawsuit  
21 being in the news?

22 A Wait, actually, maybe I did.

23 Q Okay.

24 A Well, I don't know if that exactly  
25 counts. I'm just going to say no for now.

1                   Q           Okay. Did you change the way that you  
2 dressed when people started calling you L.E.?

3                   MS. BUCHERT: Objection to form.

4                   A           No. I kind of already wore tomboyish boy  
5 clothes from the start. Like, I didn't like frilly  
6 dresses or anything like that. I would also get clothes  
7 from one of my cousins who's a guy and then also clothes  
8 from my dad and then -- yeah. I guess I was more open and  
9 less nervous about wearing boy clothes, but I did not  
10 really change what I was wearing.

11                  Q           You mentioned you told your closest  
12 friends. Are your closest friends boys or girls?

13                  A           Both.

14                  Q           Okay.

15                  A           I guess I've known -- I guess the ones I  
16 met first are actually guys. Like, the first friends I  
17 ever made, their names are Ben and Zack. They are in  
18 elementary -- I met them in elementary school and -- yeah.

19                  Q           When did people in school call you L.E.?

20                  A           Not until my name was changed and I --  
21 can you -- wait, can you say the question again?

22                  Q           Sure. When did people in school start  
23 calling you L.E.? Do you know what grade?

24                  A           I guess after I got my name changed and  
25 it was on the teacher's thing, but I did also tell the



1 teacher my name's L.E. before that, so it could be a  
2 little later.

3 Q You have several doctors that you see,  
4 one being your pediatrician Dr. Blackman?

5 A Yes.

6 Q Okay. Have you spoken with Dr. Blackman  
7 about being a transgender person and how he can help you  
8 with that?

9 A Yes, I did tell him I was a transgender.

10 Q Okay. You also at some point began  
11 seeing a therapist; I believe the name is Samuel  
12 Steinbruegge?

13 A Yes.

14 Q Okay. And how long have you seen him?

15 A Oh, man, I hate time. I don't -- I don't  
16 know. I mean, it's not -- it was consistent at the start,  
17 and then it's not as much. It's just, like, every so  
18 often.

19 Q Okay. And you decided along with your  
20 parents to take pubertal -- pubertal suppression  
21 medication; is that right?

22 A Yes. It's an implant.

23 Q Okay. And what made you decide to begin  
24 that medication?

25 A I didn't -- I guess before I started

1       having more feminine features. I didn't really think  
2       about it like that. That's not what I was expecting  
3       exactly. I guess in my mind I'd be the same or just more  
4       -- or less feminine features than I was actually expecting  
5       until I realized that's not what I want and didn't  
6       actually think about how that was going to happen.

7               Q           Okay.

8               A           And also when I was transitioning as a  
9       male, I found that, since I'm a guy, I don't want feminine  
10      features, so...

11              Q           Are you considering testosterone therapy?

12              A           Yes.

13              Q           Okay. And what is your understanding of  
14      testosterone therapy?

15              A           I will be getting a deeper voice, more  
16      hair, less of a feminine body shape.

17                       MS. BERGMAYER: I think this would be a  
18      good time for me to take a very short break, and  
19      I'm almost done.

20                       MS. BUCHERT: Okay, great.

21                       THE VIDEOGRAPHER: Okay. We're going off  
22      the record. The time on the camera is 11:06.

23                               (Short break.)

24                       THE VIDEOGRAPHER: Okay. We're back on  
25      the record. The time on the camera is 11:40 a.m.

1                   Q           All right. L.E., did you talk to any  
2                   golf coach or instructor about wanting to play golf in  
3                   high school?

4                   MR. SANDERS: Excuse me, Stephanie, this  
5                   is David. We don't have any video feed.

6                   (Technical difficulties.)

7                   (Off the record.)

8                   THE VIDEOGRAPHER: You may continue.

9                   Q           All right. L.E., did you talk to any  
10                  golf coach or instructor about wanting to play golf in  
11                  high school?

12                  A           A little bit to Miss Suzanne just as a  
13                  topic to chat about.

14                  Q           Do you know what tees the boys on the  
15                  high-school golf team hit from?

16                  A           I'd assume that it's brown, though I may  
17                  be wrong.

18                  Q           Is it a tee that is further from the tee  
19                  that you currently hit from?

20                  A           Yes.

21                  Q           And have you ever hit from the tees that  
22                  you assume the boys' golf team in high school hit from?

23                  A           Yes.

24                  Q           How many times have you hit from that  
25                  tee, tee box?

1                   A           I have no clue. I don't keep track.

2                   Q           But it is not the tee box that you  
3                   routinely play from.

4                   A           I do not routinely play from that tee  
5                   box.

6                   Q           Did you play on the girls' middle-school  
7                   team after transitioning as a boy?

8                               MS. BUCHERT: Objection to form.

9                   A           Not exactly -- well, I'm sorry, can you  
10                  repeat the question?

11                  Q           Yes. After going through a social  
12                  transition to be recognized as a boy, did you play on the  
13                  girls' middle-school golf team?

14                  A           Yes, but only -- okay. Yes, but only a  
15                  little bit. Well, not exactly a -- okay. Yes.

16                  Q           And you have previously stated that  
17                  playing for the girls' golf team made you uncomfortable;  
18                  is that right?

19                  A           Yes.

20                  Q           Okay. Can you explain more about why you  
21                  felt uncomfortable.

22                  A           They weren't doing anything or anything  
23                  like that. It's just because I'm a boy and it would be  
24                  awkward to be the only boy playing on a girls' golf team.

25                  Q           Okay. So did the girls on the team treat

1           you well?

2                   A           I mean, yeah, they were nice.

3                   Q           And was the coach nice?

4                   A           Yes.

5                   Q           Are there any other reasons that you felt  
6           uncomfortable playing for the girls' golf team?

7                   A           No. I mean, no. I mean, it's not just  
8           uncomfortable, it's just embarrassing, a little angering  
9           to myself, I guess, when you think about it. It's just,  
10          like, I really, really love golf, and I love  
11          competitiveness, but I don't like playing on the girls'  
12          golf team, so -- because I'm a boy and -- yeah.

13                  Q           Okay. How long have you been off school  
14          for the summer?

15                  A           Let's see. I forget when school actually  
16          ended, I'll be honest. I know it -- I know school ended  
17          in June, and that's my birthday month, but, I mean, I kind  
18          of forget. I didn't really keep track. I was just  
19          excited to go to summer.

20                  Q           Do you know when you -- when it was your  
21          birthday, were you in school or out of school?

22                  A           Oh, out of school.

23                  Q           Was there anything that prevented you  
24          from playing golf more this summer?

25                               MS. BUCHERT: Objection to form.

1 decision because I can't read your mind. I don't know  
2 what you're thinking, so...

3 Q And so what is the difference between a  
4 boy and a girl?

5 MS. BUCHERT: Objection to form.

6 A Things you do, mannerisms, way of speech,  
7 how you speak a little bit, the way you dress. Yeah.

8 Q Okay. And is it your understanding that  
9 you have always been a boy, or did your feelings or  
10 understanding about that change as you got older?

11 A I think I've always been a boy, though --  
12 I mean, like, I didn't really see myself as a girl, but  
13 because of my birth certificate, I just didn't really --  
14 and I didn't even -- I wasn't even educated at the time  
15 about transgender, so, yeah...

16 Q How did you get educated about  
17 transgender persons?

18 MS. BUCHERT: Objection to form.

19 A Well, mainly my friends. They taught me  
20 about pronouns, and then I kind of looked into it myself  
21 on YouTube, and then I still don't even know. I mean,  
22 it's mostly on feelings, I guess, so I can't really --  
23 it's, like, how I feel like a boy, so, yeah...

24 MS. BERGMAYER: I have no further  
25 questions. Thank you for your time today.

1                   Q           One more actually, I apologize. Have you  
2 understood the questions I've asked you today?

3                   A           Yes.

4                   MS. BERGMEYER: Thank you.

5                   EXAMINATION

6 BY MS. JOHNSON:

7                   Q           Hi, I'm Jessica. I'm the attorney for  
8 the Knox County Board of Education and Bob Thomas -- and I  
9 need a microphone. hold on one second.

10                   I have just a few questions for you;  
11 okay? Same rules. Yes and no responses. If you don't  
12 understand the question, ask me and I'll try to rephrase;  
13 okay? So first I want to ask you about when you played in  
14 middle school, and that was at Farragut Middle School; is  
15 that right?

16                   A           Yes.

17                   Q           Do you remember when you were on the team  
18 if you played matches against other schools?

19                   A           We did a few times. I don't remember  
20 which schools.

21                   Q           And do you think you played against  
22 another school three times?

23                   A           No, I don't know about three times. It  
24 was kind of odd because we would play in different ways.  
25 Like, best ball is one way we would do it. It's where

1 everyone on your team who are participating in this game  
2 would hit a ball. Whichever one is better, you would pick  
3 that ball and then pick up all the rest, and then everyone  
4 would hit from there, and then whatever one's better from  
5 there, you would hit there and so forth until you get into  
6 the hole.

7 Q And when you played best ball, how many  
8 people did you play with?

9 A I honestly don't remember.

10 Q Okay. Okay.

11 A I don't think it was the whole team,  
12 though.

13 Q Did you -- do you remember if you played  
14 against other schools less than five times?

15 A I would say it's less than five times,  
16 but we would also play against the same schools more than  
17 -- so we would usually, like, have a school that we know  
18 more than others, so we would play with them more.

19 Q And then I want to talk about golf this  
20 summer. Have you been to the driving range this summer?

21 A Yes.

22 Q Do you know about how many times you've  
23 been?

24 A No, I never keep track.

25 Q And I'm not looking for an exact number.



1 Do you think you went once a week this summer?

2 A Sometimes it would be more. Like, some  
3 weeks we would go more than others, so it's, like, one  
4 week we would not have time to go at all because Dad's  
5 working and I have practice -- well, I have the play, so I  
6 can't go that week, but next week, we have nothing that  
7 week, so we're going to go tomorrow and then the other day  
8 -- I mean, the next day, and then we'll kind of spread it  
9 out, if that makes any sense.

10 Q Absolutely.

11 A Yeah, that's why I kind of can't -- I  
12 don't -- I can't say it's, like, an exact week.

13 Q Sure. Do you think you've been less than  
14 ten times this summer?

15 A No.

16 Q Would you say you've been more than ten  
17 times?

18 A Yes.

19 Q Okay, great. And when was the last time  
20 you played an 18-hole course?

21 A Oh, that's been a while because 18 holes  
22 is where you have to spend the whole -- you have to spend  
23 a whole day. You have to make sure your schedule is,  
24 like, completely empty. Definitely not this year. I  
25 haven't had time to do that. We usually do nine holes.

1           calculated your handicap in golf?

2                   A           No.

3                   MS. JOHNSON: Okay. I think those are  
4                   all the questions I have. Thank you so much.

5                   MS. BUCHERT: If we could take a  
6                   five-minute break, that would be great.

7                   THE VIDEOGRAPHER: Okay. We're going off  
8                   the record. The time on the camera is 12:07.

9                               (Short break.)

10                  THE VIDEOGRAPHER: Okay. We're back on  
11                  the record. The time is 12:13.

12                               EXAMINATION

13                  BY MS. BUCHERT:

14                   Q           All right. L.E., I just have a few quick  
15                   questions for you. In your words, what does it mean to  
16                   socially transition?

17                   A           Well, it takes time. I see it as a  
18                   process, I mean, like, just bit by bit understanding  
19                   yourself first and then making the changes, like -- like,  
20                   the implant, getting diagnosed with trans dysphoria, yeah,  
21                   and just making the changes that you would like, not  
22                   playing on the girls' golf team.

23                   Q           All right. And when did you receive a  
24                   gender dysphoria diagnosis?

25                   A           In 2021.

1 Q And when did you obtain a name change?

2 A I think that was also in 2021.

3 Q And when did you receive your implant?

4 A Twenty twenty-one. I forget the complete  
5 date of all these.

6 Q So when you were playing for the Farragut  
7 Middle School, none of those things had been done when you  
8 were -- while you were playing on that team; is that  
9 accurate?

10 A Yes.

11 Q Okay. And if this law remained in place,  
12 would you consider playing for a girls' team even though  
13 you could not play for a boys' team?

14 A No.

15 MS. BUCHERT: Okay. No further  
16 questions. Thank you.

17 MS. BERGMEYER: Nothing further.

18 MS. JOHNSON: Nothing for us.

19 (Discussion off the record.)  
20  
21  
22  
23  
24  
25

1 FURTHER THE DEPONENT SAITH NOT.

2 L.E.

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5  
6 Sworn to before me when  
7 taken August 1, 2022.

8  
9  
10 /s/ Donna D. Touseull

11 Donna D. Touseull

12 Licensed Court Reporter

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## REPORTER'S CERTIFICATE

STATE OF TENNESSEE )

COUNTY OF KNOX )

I, DONNA D. TOUSEULL, Licensed Court Reporter in and the State of Tennessee, do hereby certify that I reported in machine shorthand the foregoing testimony held on the 1st day of August 2022 and that the foregoing 43 pages were transcribed by me and constitute a true record of the proceedings to the best of my knowledge and ability.

I further certify that I am not an attorney or counsel for any of the parties, nor an employee or relative of anyone connected with the action, nor financially interested in the action.

I further certify that I am duly licensed by the Tennessee Board of Court Reporting as a Licensed Court Reporter as evidenced by the LCR number and expiration date following my name below.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 19th day of August 2022.

/s/ Donna D. Touseull

DONNA D. TOUSEULL

Licensed Court Reporter

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